

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FACEBOOK, INC. AND SUBSIDIARIES,

Plaintiff,

v.

INTERNAL REVENUE SERVICE,

Defendant.

Case No. 3:16-cv-05884-LB

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION TO COMPEL
AND DENYING DEFENDANT'S
CROSS-MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Date: June 15, 2017
Time: 10:30 am
Dept.: Courtroom 15-C

It is hereby ORDERED that Plaintiff's motion to compel is GRANTED and Defendant's cross-motion for partial summary judgment is DENIED.

The IRS is hereby ordered to produce spreadsheet (e.g., Microsoft Excel), word processing document (e.g., Microsoft Word), and presentation (e.g., Microsoft PowerPoint) files ("files") as follows:

- (1) to the extent no redactions are required for a file, the IRS must produce the file in native format;
- (2) to the extent the IRS determines that it must redact metadata because of an exemption, the IRS is ordered to produce the files in their native electronic form, without the specific metadata field that is exempt from disclosure and cannot be redacted; and
- (3) to the extent the IRS determines the substantive content of a file in electronic form must be redacted, the IRS is ordered to identify the file and to meet and confer with Facebook to

1 discuss alternate forms of production based on the number and type of files to be redacted,
2 and if the parties cannot reach agreement, the parties shall raise this issue with the Court.

3 The IRS is also ordered to produce emails in the electronic format in which the IRS
4 maintains them or in a standard “load file” with typical email metadata, including the fields listed in
5 the Attachment A to Facebook’s Motion to Compel. To the extent the IRS determines that metadata
6 associated with an email is exempt from release, the IRS shall redact or delete that specific metadata
7 field for the specific email.

8 **IT IS SO ORDERED.**

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10 Dated:

11 HON. LAUREL BEELER
12 United States Magistrate Judge
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